

**From:** Daniel Gaita <danielgaita@me.com>  
**Sent:** Friday, February 26, 2016 12:13 PM  
**To:** JudTestimony  
**Cc:** Sen. McLachlan, Michael; Michael@SenatorMcLachlan.US; Dan Carter  
**Subject:** SB214 Testimony

Personal Testimony Specific to: AN ACT IMPLEMENTING THE  
RECOMMENDATIONS OF THE AUDITORS OF PUBLIC ACCOUNTS WITH  
RESPECT TO PROBATE COURTS. SB 214.

In the beginning it looked so good.....Then legalese makes it utterly ineffectual by adding these loopholes:

(b) (1) The Auditors of Public Accounts may reject any complaint received pursuant to subsection (a) of this section if the Auditors of Public Accounts determine one or more of the following:

(A) There are other available remedies that the complainant can reasonably be expected to pursue;

Testimonial Response: A complaint could simply be rejected by saying "The victim can still seek civil recourse via the superior court process" Which would require the victim to be his own attorney or hire an attorney, pay court, marshal, bond and legal fees, file suit, carry out interrogatories, discovery and depositions, while having to file repeated motions and pleadings for years leading up to any trial or settlement while having to attend trial and take the stand...All while 98 years old and broke after the probate system has already taken every penny you have including your estate through a reverse mortgage that gets used to pay legal, fiduciary and probate fees...This is insane. But this is how it currently plays out in real life... Just ask Lou Russo.

(B) The complaint is better suited for investigation or enforcement by another state agency;

Testimonial Response: We learned between October 2014 - February 2016 that when a person is involuntarily conserved under probate, another person can not file a complaint with any other agency unless it comes from the persons conservator himself (even when an advocate like myself makes it clear that the conservator is the perpetrator)...Thus why we were never able to get a single agency to investigate what was happening to Louis Russo, the VA couldn't even touch it....Senator McLachlan knows, he watched the entire ordeal unfold and was provided a front seat to every element of our frustration throughout.

(C) The complaint is trivial, frivolous, vexatious or not made in good faith;

**Testimonial Response Who makes that determination? and on what grounds?**

(D) Other complaints have greater priority in terms of serving the public good;

**Testimonial Response Who makes that determination? and on what grounds?**

(E) The complaint is not timely or is too long delayed to justify further investigation;  
or

**Testimonial Response**

**Who makes that determination? and on what grounds?**

(F) The complaint could be handled more appropriately as part of an ongoing or scheduled regular audit.

**Testimonial Response Who makes that determination? and on what grounds?**

**Testimonial Points for Consideration:**

What good is it to have laws that allow lawyers and lawmakers to circumvent them at the expense of the exploited?? I watched how each agency abrogates their responsibility by using agency jurisdiction (or lack thereof) to avoid taking any action at all... The VA did it, Statewide Grievance Committee did it, the AG did it, the Probate Judge did it, Social Services did it, the State and local police did it, the Governor did it, the FBI, and the Dept of Justice too..... They all said their hands were tied because it was a matter in probate and they could only talk to the conservator for the person being exploited... Yet the conservator(s) was the one exploiting Lou Russo....

I don't believe the State has any intention of flipping over this apple cart, especially since it is now funded off the backs of those imprisoned and exploited through this system.

I know, I am a first person witness to this dysfunctional system. Every attempt I made to assist Lou Russo, as his advocate, was obstructed by each attorney or person appointed as

his conservator (Mark Broadmeyer, Attorney Candace Fay, Dean Lewis, Richard Terbrusch and Justin Lewis).

They attempted to portray me as crazy and a loose cannon, they attempted on more than 5 occasions to have me arrested and attempted to have court sanctions ordered against me by alleging i was "illegally practicing law without a license" I was repeatedly threatened with lawsuits and further criminal and civil action because I told the truth and called them out for their lies and violations of Lou's rights.

Lou's request(s) (oral and in writing to the court) to have me made his conservator were ignored, his filed grievances to the probate court were ignored. Even more disgusting, his own conservators attempted to have his complaints and grievances thrown out and removed from the court record. His complaint to the Statewide grievance committee was also ignored.

Nobody wanted anything to do with what was happening to our 97 year old WWII combat veteran. Were it not for our agency he would still be locked up in a nursing home and his home would still be illegally rented out to tenants with no rental income going into his estate but rather into the pocket of the conservator through exorbitant fees for services that were never carried out.

Even though it is already a violation of probate law to interfere with an advocate, that law meant nothing to the lawyers, the judge or the other agencies in our efforts for Lou Russo. Because you see, in order to hold lawyers and judges to the same legal standard as you and I, you must be a lawyer or a judge... Today's Lincoln Lawyer, aka the common man has no recourse when blowing the whistle because the inmates are running the asylum.

I am hopeful that the "powers that be" can pull their heads out of their ass's before some other advocate chooses the path of vengeance and violence in order to exact some other form of justice in any current or future situation similar to Lou Russo's

Respectfully Submitted,

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On Feb 25, 2016, at 3:35 PM, Sen. McLachlan, Michael wrote:

Dan,

We have a bill of possible interest to you. A public hearing will be in Stamford on 3/2. You can also submit written testimony. Amanda can help facilitate if you desire to participate.

[https://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=SB00214&which\\_year=2016](https://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=SB00214&which_year=2016)

Regards,  
Mike

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*Sent from my mobile device.*

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